

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

880C0651

HOUSE BILL NO. 1187

Introduced by: Representatives Napoli, Apa, Brown (Richard), Cutler, Duenwald, Eccarius, Haley, Jaspers, Klaudt, Koskan, Lucas, Monroe, Peterson, Smidt, Volesky, and Young and Senators Daugaard, Benson, Bogue, Brown (Arnold), Drake, Flowers, Kleven, Rounds, and Vitter

1 FOR AN ACT ENTITLED, An Act to provide for a six-person jury in small claims actions.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 15-14-27 be amended to read as follows:

4 15-14-27. ~~In all civil actions cognizable by a magistrate judge, except actions for the forcible~~
5 ~~entry and detainer, or detainer only, of real property, tried in the circuit court, the verdict may~~
6 ~~be rendered by five-sixths of the jury in the manner provided in §§ 15-14-28 and 15-14-29. In~~
7 any small claims action, pursuant to chapter 15-39, the jury shall consist of six persons. Unless
8 otherwise agreed to by the parties, the jury's verdict or findings shall be rendered by five-sixths
9 of the jury in the manner provided in §§ 15-14-28 and 15-14-29.